

**CONCLUSION:**

22. Defendant has attempted to escape liability by stating that they are unable to evaluate the loan due to missing information. The documents provided show that the requests for more documents was for documents already provided. A complete request for mortgage modification is defined in Cal. Civil Code §2924.18 (d).

(d) For purposes of this section, an application shall be deemed “complete” when a borrower has supplied the mortgage servicer with all documents required by the mortgage servicer within the reasonable time frames specified by the mortgage servicer.

This section states that when a servicer receives all of the documents required by the mortgage servicer. The documents provided by plaintiffs show that in the First Request for Mortgage Modification defendant received all of the required documents on two occasions November 19, 2012 and March 21, 2013. Once these documents were in the possession of defendant a complete request for mortgage modification was complete.

23. Defendant’s in this case engaged in a pattern of improper conduct, when they continual requested the same documents and did not give plaintiffs a fair, and complete review of their request for mortgage modification.

24. Defendants provided false information to Plaintiffs by stating that they would not proceed with the foreclosure sale while their intent was to proceed with the foreclosure.

25. Result of defendant’s pattern of improper conduct ultimately resulted in plaintiffs’ property being lost through wrongful foreclosure.

26. WHEREFORE, defendant’s motion to dismiss the Third Amended Complaint should be denied.

Dated: March 30, 2015

BEDI & JOHNSON

/S/Lyle W. Johnson

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